



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

BIEBERSCHULTE et al.

Atty. Ref.: 4358-16; Confirmation No. 4213

Appl. No. 10/522,918

TC/A.U. 4121

Filed: August 22, 2005

Examiner: Clark, S.E.

For: A PHARMACEUTICAL FORMULATION AND ITS USE IN THE TREATMENT OF INNER  
EAR DISEASES

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April 9, 2009

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE**

In response to the Examiner's requirement for restriction, set forth in the Office Action dated March 9, 2009, Applicants elect the subject matter of Group I (claims 1-14) for prosecution in this application. The Examiner's comments regarding possible rejoinder are noted.

An early and favorable Action is awaited.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

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